

FIRST REGULAR SESSION

SENATE BILL NO. 56

96TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR RUPP.

Pre-filed December 14, 2010, and ordered printed.

TERRY L. SPIELER, Secretary.

0334S.02I

AN ACT

To amend chapter 633, RSMo, by adding thereto one new section relating to developmental disabilities facilities.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 633, RSMo, is amended by adding thereto one new section, to be known as section 633.325, to read as follows:

633.325. 1. On or before December 31, 2012, the department of mental health shall submit a plan for transitioning the provision of services for residents of state developmental disabilities facilities, including intermediate care facilities for the mentally retarded, to the most integrated settings appropriate to their needs. While developing the plan, the department shall contract with a reputable independent third party to conduct a study and develop a plan identifying mechanisms to serve persons currently living in state institutions in the community. Upon completion, the plan shall be submitted to the governor, the senate appropriations committee, the house health, mental health and social services appropriations committee, the house budget committee and the developmental disabilities advisory council established under section 633.020.

2. Based on an assessment of individual needs and preferences, the plan shall contain recommendations for each resident identifying:

(1) Services in the most integrated setting appropriate for each resident in the community of his or her choice;

(2) The cost of providing necessary services in community settings for each individual;

(3) Barriers that prohibit the individual from being served in the community; and

22 (4) A timetable for making the transition.

23 If institutional settings are recommended for any resident in a written
24 plan of habilitation, the plan shall identify ways to address such
25 recommendations, particularly for court-committed residents who may
26 pose a danger to themselves or others.

27 3. The plan shall include:

28 (1) An overview of contemporary best practices in serving
29 individuals with developmental disabilities;

30 (2) Research, data and trends from Missouri and nationwide
31 regarding residential settings for individuals with developmental
32 disabilities, including quality of life studies and information compiled
33 on the desires and preferences of individuals with developmental
34 disabilities; and

35 (3) Recommendations for permanent full time state employees
36 working at such facilities, including other employment opportunities
37 with the state, the availability of training, and other assistance that
38 may be required.

39 4. The plan shall identify:

40 (1) Alternative uses for state-owned facility property while
41 considering economic development opportunities in the community and
42 providing for the involvement of local residents in determining the
43 most appropriate use of the property;

44 (2) The total cost, cost savings, and the time frame for realization
45 of such cost savings including both operating and any capital costs and
46 realized savings of implementing the plan recommendations;

47 (3) Potential sources of funds to support the transition plan
48 including any and all state and federal incentives currently available
49 for deinstitutionalization;

50 (4) For any cost savings realized, the number of individuals
51 currently on the division of developmental disabilities waiting list who
52 could be served utilizing the funds;

53 (5) Any legal obstacles, including any involving the guardians of
54 residents, to implementing the plan. In addition, the plan shall identify
55 any mechanisms either currently available or that are needed to
56 address identified obstacles, including regulatory or statutory changes;

57 (6) Any services, including crisis intervention, that would have
58 to be developed or enhanced to successfully support individuals in the

59 community; and

60 (7) A proposed schedule for implementation of the plan with the
61 goal of shifting provision of services to the community for every
62 resident by January 1, 2018.

63 5. All long term admissions to state run intermediate care
64 facilities for the mentally retarded shall cease upon the effective date
65 of this section.

66 6. Any plans started after August 28, 2011, to build or renovate
67 state-owned facilities shall not be implemented, entered into contract
68 to construct, or put out for bid until the completion of the plan.

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